

**KILPATRICK  
STOCKTON LLP**

Attorneys at Law

**FAX RECEIVED**

JUN 16 2003

Suite 2800 1100 Peachtree St.  
Atlanta GA 30309-4530  
t 404 815 6500 f 404 815 6555  
www.KilpatrickStockton.com

June 13, 2003

**OFFICIAL GROUP 1600**direct dial 404 815 6218  
direct fax 404 541 3219  
BGray@KilpatrickStockton.com**FAX**

RECIPIENT/ PHONE NO.	FAX NO.	COMPANY/ CITY, STATE, COUNTRY
Examiner Barbara P. Badio 703.308.4595	703.308.4556	USPTO - GAU 1616 Washington, DC

Bruce D. Gray

FROM

11

PAGES (WITH COVER)

9937

REFERENCE NO

S0351/249009

CLIENT/MATTER NO.

**PLEASE CALL 404 815 6497 IF YOU HAVE DIFFICULTY WITH THIS TRANSMISSION.****CONFIDENTIALITY NOTE:**

The information contained in this fax message is being transmitted to and is intended for the use of the individual named above. If the reader of this message is not the intended recipient, you are hereby advised that any dissemination, distribution or copy of this fax is strictly prohibited. If you have received this fax in error, please immediately notify us by telephone and destroy this fax message.

**COMMENTS**

The facsimile confirmation of the Patent Office imprinted hereon will acknowledge receipt of:

Applicant:

Gibson, et. al.

Title:

HIGH VISCOSITY LIQUID CONTROLLED DELIVERY  
SYSTEM AND MEDICAL OR SURGICAL DEVICE

Serial No./Docket No.

09/699,002

S0351/249009

Filing Date

October 26, 2000

**PAPERS SUBMITTED:**

1. Transmittal Form PTO/SB/21
2. Amendment Under 37 CFR 1.111 (9 pages)

Date: June 13, 2003

By: Bruce D. Gray, Reg. No. 35,799

**TO BE COMPLETED BY KS OPERATIONS CENTER****TRANSMISSION RECEIPT DATE/TIME:** \_\_\_\_\_**COMPLETED BY:** \_\_\_\_\_**JOB CODE** \_\_\_\_\_

ATLANTA AUGUSTA CHARLOTTE LONDON RALEIGH STOCKHOLM WASHINGTON WINSTON-SALEM

PTO/SB/Z1 (05-03)


Approved for use through 04/30/2003. OMB 0651-0031

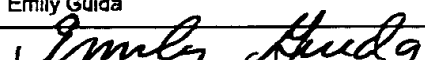
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/699,002
	Filing Date	October 26, 2000
	First Named Inventor	Gibson, et al.
	Art Unit	1818
	Examiner Name	Badio
Total Number of Pages in This Submission	Attorney Docket Number	S0351/249009

ENCLOSURES (check all that apply)				
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) ____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input type="checkbox"/> Other Enclosure(s) (please identify below):		
<table border="1" style="width: 100%;"> <tr> <td style="width: 20%;">Remarks</td> <td></td> </tr> </table>			Remarks	
Remarks				

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Bruce D. Gray, Reg. No. 35,799 Kilpatrick Stockton LLP
Signature	
Date	June 13, 2003

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Emily Guida		
Signature		Date	June 13, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

# B/D  
7-5-03  
D. R. Rone

APPLICANTS: Gibson et al.

SERIAL NO.: 09/699,002

GROUP ART UNIT: 1616

FILED: October 26, 2000

EXAMINER: Badio

FOR: HIGH VISCOSITY LIQUID CONTROLLED DELIVERY SYSTEM AND  
MEDICAL OR SURGICAL DEVICEATTORNEY DOCKET NO.: S0351/249009  
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 13<sup>th</sup> day of June, 2003.

Emily Guida

Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

DATE: June 13, 2003

## AMENDMENT UNDER 37 C.F.R. § 1.111

Sir:

Responsive to the Office action dated March 20, 2003, Applicants respectfully submit the following amendments and remarks in connection with the above-identified application.